

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7100

BILL NUMBER: HB 1264

NOTE PREPARED: May 15, 2007

BILL AMENDED:

SUBJECT: Guardian ad Litem and CASA Funding.

FIRST AUTHOR: Rep. Avery

FIRST SPONSOR: Sen. Dillon

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: Local

Summary of Legislation: This bill provides that the Division of State Court Administration will determine the number of children in need of services cases in each county to determine funding for Guardian ad Litem and Court Appointed Special Advocate programs.

Effective Date: July 1, 2007.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: This bill changes the formula used by the Division of State Court Administration to determine the amount of dollars granted to each county Guardian ad Litem/Court Appointed Special Advocate (GAL/CASA) program. As proposed, the Division would ascertain the number of children in need of services (CHINS) cases in each county during the preceding calendar year as determined in reports filed by the Division. Under current law, the Division ascertains the number of CHINS in each county during the preceding calendar year as determined by the Department of Child Services (DCS).

The state Office of Guardian ad Litem/Court Appointed Special Advocates reports that there are differences between the number of CHINS reported by the DCS and Division reports. This occurs because the DCS reports on the number of CHINS while the Division reports on the number of potential CHINS. County GAL/CASA programs are required to provide services to children that fall into the latter category. [Note: A

child does not become a CHINS until after a CHINS petition is filed with the court. This petition may take up to 90 days after DCS involvement to be filed. All children that the DCS becomes involved with may not subsequently be identified as CHINS.]

The state Office of GAL/CASA reports that the difference in numbers provided in the two reports creates a situation for counties in which county budgets (and the grant provided through the Division) are set to serve a lower number of children than actually is needed. In addition, some counties provide services to the additional children with other county dollars, while other counties place the children on a waiting list.

The state Office of GAL/CASA also reports that counties are required to match each dollar granted from the state for the county GAL/CASA program. If counties are unable to match the total dollars provided by the state, counties receive only the amount that they can provide a match to.

Should counties receive either additional or fewer dollars from the state, counties would experience a change in dollars required to be matched. Counties currently providing services to all children would not experience as significant an impact should additional grant dollars be provided from the Division. It is assumed that the additional dollars used to fund services could be used to match the additional Division grant dollars.

Currently, the GAL/CASA program is appropriated \$800,000 annually.

State Agencies Affected: Division of State Court Administration.

Local Agencies Affected: County GAL/CASA programs.

Information Sources: Leslie Rogers-Dunn, Division of State Court Administration.

Fiscal Analyst: Sarah Brooks, 317-232-9559.